



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

*Frank  
Brock*

SEP 20 2013

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**Article Number: 7005 3110 0000 5940 0050**

Howard Smith  
310 Thomas Street  
Hurley, New York 12443

Re: Underground Injection Control (UIC) Program Regulation  
Request for Information: SDWA-UIC-IR-13-030  
Black Bear Campground (UICID: 05NY07108398)  
197 Wheeler Road  
Florida, New York 10921  
Orange County

Dear Mr. Smith:

The above-referenced facility ("Facility") may be operating underground injection wells subject to U.S. Environmental Protection Agency ("EPA") jurisdiction under the Safe Drinking Water Act. Review of EPA's records indicates that the Facility does not have authorization by rule or permit to operate injection wells.

Specifically, the following types of injection wells are among those subject to EPA jurisdiction pursuant to 40 Code of Federal Regulations ("C.F.R.") Part 144:

- Any on-site sanitary waste disposal systems such as cesspools and septic systems if receiving solely sanitary waste and if designed to serve 20 or more persons per day,
- Any on-site injection wells, including but not limited to drywells, septic systems and cesspools, that is receiving or may receive any wastes other than sanitary waste (such as pool filter backwash, discharge from vehicle maintenance facility drains, discharge from chemical storage area drains, etc.) regardless of the injection well's capacity.
- Storm water collection systems that discharge into the subsurface utilizing injection wells.

**REQUIRED ACTIONS**

Pursuant to 40 C.F.R. §144.83, submit the following inventory information within 60 days of receipt of this letter:

- Construction and operation details concerning each injection well at the facility including but not limited to:

- Source(s) and actual or estimated volume(s) of all fluids being injected into each injection well, including but not limited to the specific campsites, cabins, laundry, etc. being serviced by each injection well.
- Clearly identify any injection well that is receiving or may receive any non-sanitary wastewater including but not limited to, equipment maintenance garages or areas and chemical storage areas.
- Whether any pretreatment (e.g. septic tank, oil/water separator, etc) of the wastewater occurs prior to injection and, if so, size of the treatment device(s).
- A diagram of the facility piping system and injection well locations.
- Current operating status of each injection well, e.g. active, abandoned but not removed, etc.
- Information concerning any evidence of failure, e.g. surface fluid ponding, of any injection well at the Facility within the past 5 years. If any evidence of failure, provide the following information concerning each failure:
  - Specific injection well that failed.
  - Date(s) of failure(s).
  - Impact of failure including, but not limited to, surface ponding and/or discharge of contaminated fluids that may impact underground sources of drinking water.
  - If the failure is ongoing as of the date of receipt of this letter.
  - If the failure has been corrected and, if so, how it was corrected.

Please submit all information to the following address:

Nicole Foley Kraft, Chief  
Ground Water Compliance Section  
United States Environmental Protection Agency  
290 Broadway, 20<sup>th</sup> Floor  
New York, NY 10007-1866  
Re: 05NY07108398  
Attn: Frank Brock

## **NOT OPERATING AN INJECTION WELL?**

If you are certain that there are no discharges from this facility into an EPA-regulated injection well, you must submit verification that all drains discharge to somewhere other than an injection well, such as the storm or sanitary sewer; septic system or cesspool designed to serve fewer than 20 persons per day; surface water such as a stream, lake, etc.; or onto the ground surface. Examples of verification would be: 1) a letter from the superintendent of the Sewer Authority reporting that no drains at the facility discharge to an injection well and where they do discharge, or 2) results from a dye test performed by a licensed engineer or plumber proving the drain(s) discharge to somewhere other than an injection well or 3) an updated plumbing blueprint of the facility verifying where each drain discharges and that none discharge to an EPA-regulated injection well.

## REQUIRED WELL CLOSURES

If you operate a large-capacity cesspool (a cesspool which serves a multiple dwelling community or regional system, or for a non-residential system, is designed to serve more than 19 persons a day) you were to have closed the cesspool by April 5, 2005, as required by 40 CFR §144.88. Cesspools and septic systems are defined as follows:

- A cesspool is a drywell/leach pit that directly receives untreated sanitary waste containing human excreta. A cesspool system does not utilize a septic tank to retain and treat sanitary waste.
- In a septic system, sanitary waste is first discharged through a septic tank, where solids are removed and biologic treatment occurs, and the treated sanitary waste is then discharged to a drywell/leachpit or to a drainfield.

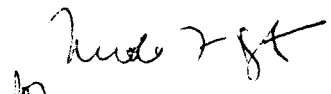
If you operate a large capacity cesspool please contact Frank Brock at (212) 637-3762.

Pursuant to 40 CFR §144.12 and 144.84, if you operate a motor vehicle waste disposal well, the Director of the UIC program will require that you either properly close the well pursuant to a closure plan approved by EPA, or obtain a permit from the New Jersey Department of Environmental Protection for continued operation.

Failure to respond to this letter truthfully and accurately within the time provided may subject you to sanctions authorized by federal law. Please also note that all information submitted by you may be used in an administrative, civil judicial, or criminal action. In addition, making a knowing submission of materially false information to the U.S. Government may be a criminal offense.

If you have any questions please contact Frank Brock of my staff at (212) 637-3762 or by e-mail at [brock.frank@epa.gov](mailto:brock.frank@epa.gov).

Sincerely,

  
Douglas McKenna, Chief  
Water Compliance Branch

Enclosures

cc: Edwin L. Sims, P.E.  
Acting Director  
Division of Environmental Health  
Orange County Department of Health  
124 Main Street  
Goshen, New York 10924

Shohreh Karimipour  
Regional Water Engineer  
New York State Dept of Env. Conservation  
Region 3 Office  
100 Hillside Avenue, Suite 1W  
White Plains, New York 10603-2860

Town of Warwick Building Department  
132 Kings Highway  
Warwick, New York 10990